

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE: ) BANKRUPTCY CASE  
)  
LASHAWN JOHNSON, ) NO.: 16-32056  
)  
Debtor, ) CHAPTER 13  
)  
) JUDGE: JACQUELINE P. COX  
)

**NOTICE OF MOTION**

TO: SEE ATTACHED ADDRESSES

PLEASE TAKE NOTICE THAT ON April 1, 2019 at 9:00 am, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Jacqueline P. Cox, U.S. Bankruptcy Judge, 219 S. Dearborn St., 680, Chicago, Illinois 60604, room 680, and shall then and there present the attached Motion and at which time you may appear if you so desire.

**CERTIFICATION**

I, the undersigned Attorney, Certify that I served a copy of this Notice to the Addresses attached by electronic notice through ECF or by depositing the same at the U.S. Mail at 1 North Dearborn, Chicago, Illinois 60602 at 5:00 P.M. on March 18, 2019, with proper postage prepaid.

McCalla Raymer Leibert Pierce,  
LLC

/s/Toni Townsend

Toni Townsend  
ARDC# 6289370

1 N. Dearborn Suite 1200  
Chicago, IL 60602  
(312) 346-9088

**This is an attempt to collect a debt and any information obtained will be used for that purpose.**

**NOTICE OF MOTION ADDRESSES**

To Trustee:  
Tom Vaughn  
55 E. Monroe Street, Suite 3850  
Chicago, IL 60603

*by Electronic Notice through ECF*

To Debtor:  
Lashawn Johnson  
5306 Crosswind Dr.  
Richton Park, IL 60471

*Served via U.S. Mail*

To Attorney:  
David M Siegel  
David M. Siegel & Associates  
790 Chaddick Drive  
Wheeling, IL 60090

*by Electronic Notice through ECF*

McCalla Raymer Leibert Pierce, LLC  
Attorney For: Creditor  
1 N. Dearborn Suite 1200  
Chicago, IL 60602  
(312) 346-9088

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**MOTION TO MODIFY THE AUTOMATIC STAY**

NOW COMES Lakeview Loan Servicing, LLC by and through its attorneys, McCalla Raymer Leibert Pierce, LLC, and requests that the Automatic Stay heretofore entered on the property located at 5306 Crosswind Drive, Richton Park, Illinois 60471 be Modified stating as follows:

1. On October 7, 2016, the above captioned Chapter 13 was filed.
2. On January 9, 2017, the above captioned Chapter 13 was confirmed.
3. Lakeview Loan Servicing, LLC services the first mortgage lien on the property located at 5306 Crosswind Drive, Richton Park, Illinois 60471.
4. The Plan calls for the Debtor to be the disbursing agent for the post-petition mortgage payments directly to Lakeview Loan Servicing, LLC. Current post-petition payments are \$854.80.
5. The post-petition mortgage payments are due and owing for December 1, 2018. The default to Lakeview Loan Servicing, LLC is approximately \$3,419.20 through March 1, 2019.
6. Attorney's fees and costs for this motion are due in the amount of \$1,031.00.

7. The plan is in material default.
8. Lakeview Loan Servicing, LLC continues to be injured each day it remains bound by the Automatic Stay.
9. Lakeview Loan Servicing, LLC is not adequately protected.
10. The property located at 5306 Crosswind Drive, Richton Park, Illinois 60471 is not necessary for the Debtor's reorganization.
11. M&T Bank services the loan on the Property referenced in this Motion. In the event the automatic stay in this case is modified, this case dismisses, and/or the Debtor obtain a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Lakeview Loan Servicing, LLC. Movant, directly or through an agent, has possession of the Note. The Note is either made payable to Movant or has been duly endorsed.
12. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(A)(3) should be waived.

WHEREFORE, YOUR MOVANT respectfully prays that the Automatic Stay on the property located at 5306 Crosswind Drive, Richton Park, Illinois 60471, be modified and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, and leave be granted to Lakeview Loan Servicing, LLC to proceed with nonbankruptcy remedies including foreclosure, and for such other and further relief as this Honorable Court deems just.

McCalla Raymer Leibert Pierce, LLC

By: /s/Toni Townsend

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